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# CONTINUED PROSECUTION APPLICATION (CPA) #16

## REQUEST TRANSMITTAL

*Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))*

CHECK BOX, if applicable:  
 DUPLICATE

TRADEMARK OFFICE:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No. of Prior Application	040.0023
First Named Inventor	Sandro Pasquali
Examiner Name	B. Prieto
Group Art Unit	2756
Express Mail Label No.	

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NOV 27 2001

This is a request for a  continuation or  divisional application under 37 CFR 1.53(d). **OFFICE OF PETITIONS**  
(continued prosecution application (CPA)) of prior application number 09 / 276,016,  
filed on March 25, 1999 entitled SYSTEM AND METHOD FOR BUILDING AND EXECUTING.

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1.  Enter the unentered amendment previously filed on April 12, 2001  
under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:  
.....

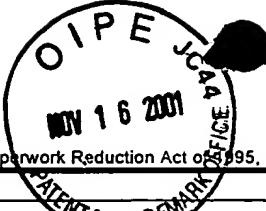
- b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 

11/27/2001	GTEFFERA	00000031	09276016
01	FC:231		370.00 OP
02	FC:203		45.00 OP
03	FC:202		84.00 OP
- a.  PTO-1449
- b.  Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (i))	25 -20* =	5	x \$18.00 =	\$ 90.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	5 -3** =	2	x \$. 84.00	168.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 0.00 =	0.00
				BASIC FEE (37 CFR 1.16)	740.00
				Total of above Calculations =	998.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				499.00
	* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.			TOTAL =	499.00

6.  Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. \_\_\_\_\_:
- a.  Fees required under 37 CFR 1.16.
  - b.  Fees required under 37 CFR 1.17.
  - c.  Fees required under 37 CFR 1.18.
8.  A check in the amount of \$ ~~400.00~~ \$499.00 (Along with fees for a Petition to Review) is enclosed.
9.  Payment by credit card. Form PTO-2038 is attached.
10.  Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11.  New Attorney Docket Number, if desired \_\_\_\_\_  
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a.  Receipt For Facsimile Transmitted CPA (PTO/SB/29A)  
b.  Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13.  Other: \_\_\_\_\_

**NOTE:** The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

**14. NEW CORRESPONDENCE ADDRESS** Customer Number or Bar Code Labelor  New correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	Erik B. Cherdak & Associates, LLC				
Address	11300 Rockville Pike, Suite 906				
City	Rockville	State	MD	Zip Code	20852
Country	USA	Telephone	301/984-4700		Fax 301/984-7696

**15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print /Type)	Erik B. Cherdak
Signature	
Registration No. (Attorney/Agent)	39,936
Date	11-12-2001

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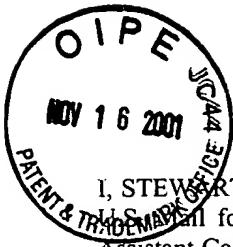
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61-12-2001/MK

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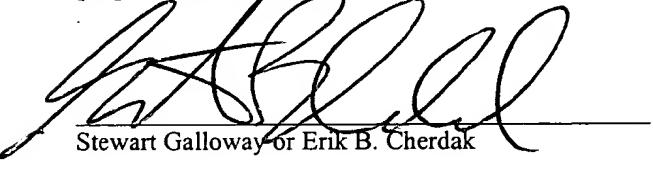


CERTIFICATE OF MAILING  
via U.S. Mail EXPRESS MAIL POST OFFICE TO ADDRESSEE service

I, STEWART GALLOWAY or ERIK B. CHERDAK, certify that I deposited the below-listed documents with the U.S. Mail for EXPRESS Class Mail Post Office to Addressee service, postage pre-paid, to be delivered to the Assistant Commissioner for PATENTS, USPTO Washington, DC 20231 on the date indicated next to my signature below.

Documents Submitted by EXPRESS Mail Post Office to Address Service:

- [ X ] A Petition to Revive Unintentional Abandonment with fee
- [ X ] CPA Request Form with Attached Earlier Submitted Amendment
- [ X ] Check in the Amount of \$1139.00 to cover all fees associated with these transmittals
- [ X ] A Certificate of Mailing dated 11-12-2001
- [ X ] Return Postcard

  
Stewart Galloway or Erik B. Cherdak

DATE OF DEPOSIT: 11-12-2001

Attorney Docket No. 040.0023

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

**Sandro PASQUALI**

Attorney's Docket No.:

**040.0023**

Filed:

**March 25, 1999**

Serial No.:

**09/276,016**

For:

**SYSTEM AND METHOD FOR BUILDING  
AND EXECUTING A NAVIGATION  
INSTRUCTION VIA CORRESPONDING  
SENTENCE CONSTRUCTION**

Group No.:

**2764**

Examiner:

**B. Prieto**

**AMENDMENT AND RESPONSE TO OFFICE ACTION  
UNDER 37 C.F.R. § 1.116  
(Office Action Mailed November 14, 2000)**

Assistant Commissioner for Patents  
United States Patent and Trademark Office  
Washington, DC 20231

SIR:

This Amendment and Response is submitted in complete response to the Final Office Action mailed November 14, 2001, and in accordance with 37 C.F.R. § 1.116. Presented in this paper are amendments to the claims that place the same in condition for allowance, and remarks that fully and completely respond to the Examiner's rejections of the claims. Entry of this paper and the amendments presented herein into the official files pertaining to the above-titled U.S. patent application is earnestly solicited as is allowance of the pending claims and the grant of a U.S. Patent.

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**NOV 27 2001**

**OFFICE OF PETITIONS**

**NOTE REGARDING CHANGE OF ADDRESS:**

Despite Applicant's two (2) attempts to have the U.S. Patent and Trademark Office (USPTO) correct its records pertaining to correspondence in the instant patent application, the USPTO has failed to correct its records to ensure proper delivery and receipt of official correspondence including the instant Final Office Action. As such, the instant Office Action was mailed to Applicant's representative's old correspondence address and then apparently lost by the U.S. Postal Service. Attempts to contact the Examiner via telephonic message have been unsuccessful. As such, Applicant's representative has filed this paper in response to the instant Final Office Action and hereby respectfully requests the Examiner to re-set the date for response to a date making this submission as timely filed. And, since the Applicant has paid appropriate extension of time fees (two-months) in connection with this filing, the Applicant will seek a refund of such fees paid. It is earnestly requested that the Examiner ensure that all future correspondence in the instant patent application is properly sent to Applicant's Representative's new correspondence address identified at the end of this paper. For purposes of clarity, the new correspondence address is restated here as follows:

**ERIK B. CHERDAK & ASSOCIATES, LLC  
11300 Rockville Pike, Suite 906  
Rockville, Maryland 20852  
(301) 984-4700  
Facsimile (301) 984-7696**

The Examiner's cooperation in ensuring proper change of correspondence address is appreciated.